

REMARKS

In the Office Action, the Examiner rejected to claims 1-5 and 12-17 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The Applicants have amended the claims to address this deficiency. The Examiner further rejected claim 1-3, 6, 2-15, and 20 under 35 U.S.C. 102(e) as being unpatentable over Gardenswartz et al. (US 6,055,573, "Gardenswartz"). The Examiner further rejected claims 4, 5, 16, and 17 under 35 U.S.C. 103(a) as being unpatentable over Gardenswartz et al. in view of Lech (U.S. 5,258,855). The Examiner further rejected claim 7-11, 18, and 19 under 35 U.S.C. 103(a) as being patentable over Gardenswartz in view of Wilson (U.S. 5,864,827).

Gardenswartz does not anticipate amended claims 1-3, 6, 2-15, and 20.

Gardenswartz is directed to a method, system, and computer program product for delivering targeted advertisements (abstract). The targeted advertisements of Gardenswartz are based on the observed offline purchase history of a consumer and delivered via online means (abstract, col. 7, lines 11-24, col. 7, line 64-col. 8, line 9, col. 13, line 51 - col. 15. line 18). Applicants direct the Examiner to the language at col. 14, lines 18-20: "[t]hus, in steps 78 through 82, targeted advertisements are delivered *online* to the consumer based on the consumer's observed or actual offline purchase behavior."

Amended independent claim 1 is directed to a method for accumulating and using online consumer sales transaction data produced by a plurality of sales transaction servers in targeted offline advertising by a main database server. Amended claim 1 includes specifically collecting the online consumer sales transaction data by the main database server from the plurality of sales transaction servers, the online consumer sales transaction data corresponding to online consumer sales serviced by the plurality of sales transaction servers. Amended claim 1 further includes

processing the online consumer sales transaction data to produce group characteristics and using the group characteristics to prepare offline advertisements. These limitations are not disclosed, suggested, or taught by Gardenswartz and amended claim 1 is not anticipated by this reference. In fact, Gardenswartz teaches away from amended claim 1 in that Gardenswartz teaches using offline data for online purposes, opposite of the limitations of amended claim 1.

Amended claims 6 and 12 include limitations that are the same or similar to the limitations of amended claim 1 and are not anticipated by Gardenswartz for these same reasons. Claims 2-3 depend from claim 1, claims 13-15 depend from claim 12, and claims 13-15 and 20 depend from claim 12 and are not anticipated by Gardenswartz for these same reasons.

The other cited references fail to meet the shortcomings of Gardenswartz

Lech and Wilson fail to meet the shortcomings of Gardenswartz. For example, neither of these shortcomings discloses the use of online sales transaction data being used in the production of offline advertisements. Thus, Gardenswartz in combination with either or both of these references fail to render any of pending claims 1-20 obvious.

Conclusions

All pending claims are now allowable and a notice of allowance is courteously solicited. Please direct any questions or comments to the undersigned attorney at the address indicated.

Respectfully submitted,

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